

Jess M. Krannich (Utah Bar No. 14398)
MANNING CURTIS BRADSHAW & BEDNAR LLC
136 East South Temple, Suite 1300
Salt Lake City, UT 84111
Telephone: (801) 363-5678
Facsimile: (801) 364-5678
jkrannich@mc2b.com

Daralyn J. Durie (*Pro Hac Vice*)
Joseph C. Gratz (*Pro Hac Vice*)
Alex J. Feerst (*Pro Hac Vice*)
DURIE TANGRI LLP
217 Leidesdorff Street
San Francisco, CA 94111
Telephone: 415-362-6666
Facsimile: 415-236-6300
ddurie@durietangri.com
jgratz@durietangri.com
afeerst@durietangri.com

Attorneys for Defendant
AEREO, INC.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

COMMUNITY TELEVISION OF UTAH,
LLC d/b/a KSTU FOX 13, KUTV
LICENSEE, LLC d/b/a KUTV and KMYU,
and FOX BROADCASTING COMPANY,

Plaintiffs,

v.

AEREO, Inc.

Defendant.

**DECLARATION OF CHAITANYA
KANOJIA IN SUPPORT OF DEFENDANT
AEREO, INC.'S REPLY MEMORANDUM
IN SUPPORT OF ITS MOTION TO
TRANSFER**

Civil No. 2:13-cv-00910

Judge David Nuffer

I, Chaitanya Kanojia, declare as follows:

1. I am the founder and Chief Executive Officer of Aereo, Inc. (“Aereo”). I make this declaration in support of Aereo’s Motion to Transfer. This declaration is based on my personal knowledge and belief.

2. Aereo, Inc. (“Aereo”) is a New York corporation. Its principal place of business is in Long Island City, Queens County, New York. In 2010, I formed Bamboo-Entertainment, Inc. Its name later changed to Bamboom Labs, Inc. and then to Aereo, Inc.

3. Aereo’s core technology allows consumers to use a small individual remote antenna and DVR to record and watch local broadcast television on internet-connected devices like laptops, iPhones, and iPads.

4. Most of Aereo’s employees are located in either New York or Boston. Aereo’s core technology was developed in New York and Boston. Aereo makes its strategic, development, engineering, finance, and marketing decisions in New York and Boston. Most of the employees and records likely relevant to the issues in this case—from product function to damages—are located there too. Most of Aereo’s records regarding its technology, structure, and operation, as well as financial information, are stored in New York and Boston. All but two of Aereo’s employees work in New York or Boston. (The other two work in Ohio.)

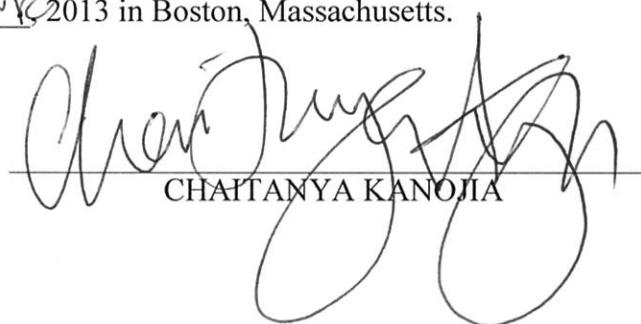
5. Aereo began offering its technology in Utah in August 2013. Aereo has a facility in Utah that consists largely of devices such as antennas, hard drives, and other technology. Aereo has no full-time employees in Utah. Aereo stores few records at its Utah facility. Based on the facts alleged in the complaint, I do not expect any Aereo witnesses in this case to be Utah residents.

6. I was deposed in connection with the cases filed against Aereo in the Southern

District of New York. So were Aereo's Chief Technology Officer, Principal Antenna Engineer, Vice President for Communications and Government Relations, and its then-Director of Marketing (who no longer works for Aereo). Currently, Aereo's Chief Technology Officer lives in Massachusetts and its Principal Antenna Engineer lives in Ohio. Aereo's Vice President for Communications and Government Relations is based in New York. Aereo's marketing department is based in New York. Given the nearly identical underlying facts apparently at issue in this case and the litigation filed against Aereo in New York, I expect that Aereo's fact witnesses for this case will be drawn from this group.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

EXECUTED this 11th day of November 2013 in Boston, Massachusetts.



CHAITANYA KANOJIA